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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DORIS KRENZELAK, on behalf of plaintiff and a class,	)	
Plaintiff,	)	12-cv-3325
vs.	)	Judge Durkin
THE BRACHFELD LAW GROUP, A PROFESSIONAL CORPORATION; LVNV FUNDING, LLC; RESURGENT CAPITAL SERVICES, L.P.; and ALEGIS GROUP, LLC,	)	
Defendants.	)	

PRELIMINARY APPROVAL ORDER

This matter coming before the Court on the Parties' Joint Motion for Preliminary Approval of a Class Action Settlement Agreement and Release ("Settlement Agreement"), the Court being fully advised in the premises, IT IS HEREBY ORDERED:

1. The Court finds that the proposed class action settlement is within the range of fairness and reasonableness and grants preliminary approval of the Settlement Agreement. In the event that the proposed settlement is not finally approved for any reason, Defendants shall, pursuant to the Settlement Agreement, retain their right to contest certification of the Class.

2. The Court hereby provisionally certifies the following Class solely for settlement purposes:

> (a) all individuals (b) to whom Brachfeld sent a letter in the form represented by Exhibits A-C to Plaintiff's First Amended Complaint (c) to collect a debt on which the current creditor is LVNV Funding LLC, on or after May 3, 2011 and on or before May 23, 2012.

Defendants represent that there are approximately 6,111 persons in the Class. Plaintiff Doris Krenzelak is appointed as Class Representative and the law firm of Edelman, Combs, Latturner & Goodwin, LLC is appointed as Class Counsel.

3. Based on the Parties' stipulation, and for settlement purposes only:

(A) the class as defined is sufficiently numerous such that joinder is impractible;

(B) common questions of law and fact predominate over any questions affecting only individual Class Members, and include whether or not Defendants violated the Fair Debt Collection Practices Act, 15 U.S.C. §1692 et seq. ("FDCPA") when it sent the letter attached as Exhibit A to the First Amended Complaint;

(C) the claim of Plaintiff, Doris Krenzelak is typical of the Class Members Claims;

(D) Plaintiff, Doris Krenzelak is an appropriate and adequate representative for the Class and her attorneys, Daniel A. Edelman and Tiffany N. Hardy, and the law firm Edelman, Combs, Latturner and Goodwin, LLC, are hereby appointed as Class Counsel; and

(E) a class action is the superior method for the fair and efficient adjudication of the claims of the Class Members.

4. A Final Approval Hearing on the fairness and reasonableness of the Agreement and whether final approval shall be given to it and a request for fees and litigation costs by Class Counsel will be held before this Court on **January 16, 2014 at 9:15 a.m.**

5. Defendants shall advance Four Thousand Dollars ($4,000.00) of the Settlement Fund to Class Counsel for the costs of Class Notice and administration by **September 23, 2013.**

6. Defendants will provide Class Counsel with a list of names and addresses of the Class members by **September 23, 2013**.

7. The Court approves the proposed form of notice to the Class Members, to be sent

by U.S. Mail, directed to the last known address of each Class Member as shown in Defendants' records on or before **October 28, 2013**. (45 calendar days from entry of this Order). Each Class Notice shall be sent with a request for forwarding addresses. In the event that a Class Notice is returned as undeliverable and a forwarding address is provided, Class Counsel shall forward any such returned Class Notice to the address provided within five (5) business days.

8. The Court finds that mailing of the Class Notices and the other measures specified above to locate and notify members of the Class is the only notice required and that such notice satisfies the requirements of due process and Fed. R. Civ. P. 23(c)(2)(B).

9. Any Class Member who wants to receive a monetary portion of the Settlement Fund shall submit a completed Claim Form, which will be mailed with Class Notice.

10. Class Members shall have until **December 12, 2013** (45 days after the mailing of class notice) to submit a claim form, request exclusion from or object to the proposed settlement. Any Class Member who desires to exclude him or herself from the action must serve copies of the request on counsel for both Plaintiff and Defendants by that date. Any Class Members who wish to object to the settlement must submit an objection in writing to the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, and serve copies of the objection on Class Counsel and Defendants' counsel by that date. Any objection must include the name and number of the case and a statement of the reasons why the objector believes that the Court should find that the proposed settlement is not in the best interests of the Class. Objectors who have filed written objections to the settlement may also appear at the hearing and be heard on the fairness of the settlement.

11. Defendants shall file proof of compliance with the notice requirements of the Class Action Fairness Act of 2005, 28 U.S.C. §1715(b), no later than **September 16, 2013**.

IT IS SO ORDERED.

DATED: 9/11/13

Enter: ______________________

Honorable Thomas M. Durkin